

BRIAN J. ALEXANDER  
FRANCIS G. FLEMING  
**KREINDLER & KREINDLER, LLP**  
100 Park Avenue  
New York, NY 10017  
Telephone: (212) 687-8181  
Facsimile: (212) 972-9432

STUART R. FRAENKEL (Cal. Bar No. 173991)  
**KREINDLER & KREINDLER, LLP**  
707 Wilshire Boulevard, Suite 5070  
Los Angeles, CA 90017  
Telephone: (213) 622-6469  
Facsimile: (213) 622-6019

Attorneys for Plaintiffs

**UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
**SAN JOSE DIVISION**

TERESA GUH, individually, as a  
Successor in Interest and as a Personal  
Representative of the Estates of JYH JEI  
GUH, deceased, YA KUANG GUH JIN,  
deceased and PO WEN GUH, deceased;  
SINYEE ISABELLE GUH, individually,  
as a Successor in Interest and as a  
Personal Representative of the Estates of  
JYH JEI GUH, deceased, YA KUANG  
GUH JIN, deceased and PO WEN GUH,  
deceased;

Plaintiffs,

v.

CHINA AIRLINES, LTD. and THE  
BOEING COMPANY,

Defendants.

CASE NO. C 05-03290 JW

The Honorable James Ware

**STIPULATION FOR AND  
ORDER OF DISMISSAL WITH  
PREJUDICE**

This Document Relates To:  
ALL PARTIES

///

///

///

**STIPULATION**

**PURSUANT TO RULE 41(a)(1), IT IS HEREBY STIPULATED AND AGREED** that any and all claims of the Plaintiffs against all Defendants in *Guh, et al. v. China Airlines, Ltd., and The Boeing Company*, case number C 05-03290 JW are hereby dismissed with prejudice. It is further stipulated that Plaintiffs' claims against Defendants have been fully resolved pursuant to a settlement. The effect of this Stipulation is to dismiss the action against China Airlines, Ltd. and The Boeing Company with prejudice.

**IT IS FURTHER STIPULATED AND AGREED** that each of the parties to this Stipulation shall bear and pay all costs and expenses and attorneys' fees heretofore incurred or to be incurred by each respectively in connection with said action.

Dated: October \_\_, 2006

Respectfully submitted,

Brian J. Alexander  
Francis G. Fleming  
Stuart R. Fraenkel  
KREINDLER & KREINDLER LLP

By: Stuart R. Fraenkel  
Stuart R. Fraenkel  
Attorneys for Plaintiffs

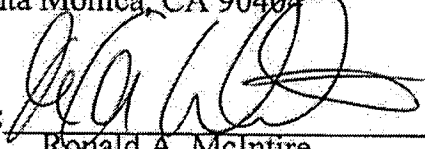
Dated: October 23, 2006

Frank A. Silane  
CONDON & FORSYTH LLP  
1901 Avenue of the Stars, Suite 850  
Los Angeles, CA 90067

By: Frank A. Silane  
Frank A. Silane  
Attorneys for Defendant,  
CHINA AIRLINES, LTD.

1 Dated: October 13, 2006

Ronald A. McIntire  
Melora M. Garrison  
PERKINS COIE LLP  
1620 26<sup>th</sup> Street, Sixth Floor  
Santa Monica, CA 90404

2  
3  
4  
5 By:   
6 Ronald A. McIntire  
7 Attorneys for Defendant,  
8 THE BOEING COMPANY

9 **ORDER**

10 Upon the stipulation of the parties, pursuant to Federal Rule of Civil  
11 Procedure 41(a), IT IS HEREBY ORDERED that the claims of Plaintiffs against  
12 all Defendants in *Guh, et al. v. China Airlines, Ltd., and The Boeing Company*,  
13 case number C 05-03290 JW are hereby dismissed with prejudice and without an  
14 award of costs or fees in favor of any party.

15  
16 Dated: 10/27/06

17 By:   
18 United States District Court Judge  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**PROOF OF SERVICE**

STATE OF CALIFORNIA  
 COUNTY OF LOS ANGELES } ss.

I, the undersigned, declare:

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 707 Wilshire Boulevard, Suite 5070, Los Angeles, California 90017. On October 27, 2006, I served the foregoing document(s) described as follows:

**STIPULATION FOR AND ORDER OF DISMISSAL WITH PREJUDICE**

on the interested parties in this action by placing true copies thereof enclosed in sealed envelopes addressed as stated on the attached service list, with postage thereon fully prepaid in the United States Mail at Los Angeles, California:

X BY U.S. MAIL:

I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice, it would be deposited with the U.S. Postal Service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

## \_\_\_\_ BY PERSONAL SERVICE:

I caused to be delivered such envelope by hand to the offices of the addressee:

## \_\_\_\_ BY FEDERAL EXPRESS OR OVERNIGHT COURIER

## \_\_\_\_ BY ELECTRONIC MAIL:

I caused to be delivered via electronic mail at the addresses listed below:

## \_\_\_\_ BY TELECOPIER

I served by facsimile at the numbers identified on the service list:

(State) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

X (Federal) I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on October 27, 2006, at Los Angeles, California.

Wendy Kurtz  
 (Type of Print Name)

  
 (Signature)

**SERVICE LIST**

*Guh, et al. v. China Airlines, et al.*  
**Case no. CV 05-03290 JW**

Ronald A. McIntire  
RMcIntire@perkinscoie.com  
Melora M. Garrison  
mgarrison@perkinscoie.com  
**PERKINS COIE LLP**  
1620 26<sup>th</sup> Street, Sixth Floor  
Santa Monica, CA 90404  
Telephone: 310 788-9900  
Telecopier: 310 788-3399

**ATTORNEYS FOR THE BOEING  
COMPANY**

Thomas J. McLaughlin  
TMcLaughlin@perkinscoie.com  
**PERKINS COIE LLP**  
1201 3rd Avenue, Ste 4800  
Seattle, Washington 98101  
Telephone: 206-359-8000  
Telecopier: 206-359-9000

Frank Silane  
fsilane@condonlaw.com  
**CONDON & FORSYTH LLP**  
1901 Avenue of the Stars  
Suite 850  
Los Angeles, CA 90067  
Telephone 310. 557-2030  
Telecopier 310. 557-0139

**ATTORNEYS FOR CHINA  
AIRLINES**

Brian J. Alexander  
balexander@kreindler.com  
Francis G. Fleming  
ffleming@kreindler.com  
**KREINDLER & KREINDLER LLP**  
100 Park Avenue  
New York, NY 10017  
Telephone: (212) 687-8181  
Facsimile: (212) 972-9432

**ATTORNEYS FOR PLAINTIFFS**

Stuart R. Fraenkel  
sfraenkel@kreindler.com  
**KREINDLER & KREINDLER LLP**  
707 Wilshire Boulevard, Suite 5070  
Los Angeles, CA 90017  
Telephone: (213) 622-6469  
Facsimile: (213) 622-6019